

VIA HAND DELIVERY

Mr. Aaron Rochester
Owner/President
Recycletronics
1304 46th Street
Sioux City, Iowa 51104

RE: Recycletronics
All Locations

RCRA



561292

Dear Mr. Rochester:

Request for Information

On December 13, 2016, representatives of the U. S. Environmental Protection Agency inspected the Recycletronics facility located at 1220 Steuben Street, and also hand delivered a Letter of Warning/Request for Information. Both the inspection and the letter were issued under the authority of Section 3007 of the Resource Conservation and Recovery Act, 42 USC § 6927. The EPA received your response to the December 13, 2016 Request for Information on January 19, 2017.

Please note that Section 3008(g) of RCRA authorizes the EPA to pursue penalties for failing to respond adequately to requests for submissions of required information. The statutory maximum penalty is \$37,500 for violations that occurred from January 12, 2009, through November 2, 2015, and \$70,117 for violations that occur after November 2, 2015.¹ Additionally, Section 3008(a) authorizes the EPA to initiate a civil judicial or administrative enforcement action if you fail to respond to this Letter of Warning/Request for Information.

The EPA is requesting additional information regarding the compliance status of all Recycletronics locations. Enclosed is a list of questions and/or requested information along with instructions to be used in providing your response. Please carefully read and follow these instructions.

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Office	AWMD/WEMM	AWMD/WEMM	CNSL/SPFD	AWMD/WEMM
Name	Wenner	Aycock	Catlin	Goetz
Initial/Date	fw 3/27/2017	ga 3/27/17	vu 3/28/17	WLL 29 Mar 17

¹ Section 3008(g) of RCRA authorizes the EPA to pursue \$25,000 for each day of non-compliance with the Information Request. The Federal Civil Penalties Inflation Adjustment Act of 1990, 28 USC § 2461, as amended by the Debt Collection Improvement Act of 1996, 31 USC § 3701, and most recently by the Federal Civil Penalties Inflation Adjustment Improvements Act of 2015, 28 USC § 2461, and implementing regulations at 40 CFR Part 19 increased these statutory maximum penalties to \$37,500 for violations that occurred from January 12, 2009, through November 2, 2015, and to \$70,115 for violations that occur after November 2, 2015.

Within 15 calendar days of receiving this letter, please mail your response to: Rebecca Wenner, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions to Rebecca Wenner, of my staff, at (913) 551-7644 or wenner.rebecca@epa.gov.

Sincerely,

Mary Goetz
Chief
Waste Enforcement and Materials Management
Branch
Air and Waste Management Division

Enclosures (3)

cc: Amie Davidson, Supervisor, Contaminated Sites Section
Iowa Department of Natural Resources
Susan Johnson, Quality Bureau-Solid Waste, IDNR

bcc: Kelley Catlin, CNSL

**List of Requested Information
Recycletronics**

1. Provide a copy of any recent sale agreement or asset purchase agreement for the sale of Recycletronics, Siouxland PC and/or Electronic Recycling, LLC. The term “recent” means any agreement entered into after January 1, 2017.
2. Provide the following information about materials/waste delivered to a 3035 Highway 75 North, Sioux City, Iowa:
 - a. Provide the name, address, and a contact phone number for the property owner.
 - b. Explain Recycletronics’ operations performed at this property. For the purposes of this letter, the term “operations” mean processing, storing, accumulating, transporting, abandoning, disposing, or otherwise utilizing a site. If materials are being accumulated or stored, describe in detail the material being accumulated or stored and list the quantities of materials being accumulated or stored.
 - c. Provide the date, or approximate date, when operations began at this property, including the date waste/materials were moved to the property.
 - d. Provide the current number of employees at this property.
 - e. Provide a list of all Recycletronics equipment, materials, or waste remaining at this property (if not already provided under b. above).
 - f. Provide copies of any records for materials and/or waste located or formerly located at this site, including any shipping documents such as bills of lading, receipts, or manifests.
 - g. Explain any other business relations between Recycletronics, or Aaron Rochester, and this site.
 - h. List any additional information that would help EPA better understand Recycletronics’ operations at this location.
3. Provide the following information about materials/waste delivered to 16998 160th Street, Akron, Iowa:
 - a. Provide the correct address of the property if it is not the one listed above.
 - b. Provide the name, address, and a contact phone number for the property owner.
 - c. Explain Recycletronics’ operations performed at this property. For the purposes of this letter, the term “operations” mean processing, storing, accumulating, transporting, abandoning, disposing, or otherwise utilizing a site. If materials are being accumulated or stored, describe in detail the material being accumulated or stored and list the quantities of materials being accumulated or stored.
 - d. Provide the date, or approximate date, when operations began at this property, including the date waste/materials were first moved to the property.
 - e. Provide the current number of employees at this property.
 - f. Provide a list of all Recycletronics equipment, materials, or waste remaining at this property (if not already provided under c. above).
 - g. Provide copies of any records for materials and/or waste located or formerly located at this site, including any shipping documents such as bills of lading, receipts, or manifests.
 - h. Explain any other business relations between Recycletronics, or Aaron Rochester, and this site.
 - i. List any additional information that would help the EPA better understand Recycletronics’ operations at this location.

4. The EPA is aware that Recycletronics has operated at all of the below listed properties. For the purposes of this letter, the term “operate” means to process, store, accumulate, transport, abandon, dispose, or otherwise utilize a site.

- 1313 11th Street, Suite D, Sioux City, Iowa
- 3313 Northbrook Drive, Sioux City, Iowa
- 1530 Steuben Street, Sioux City, Iowa
- 1220 Steuben Street, Sioux City, Iowa
- 1801-03 4th Street (3rd Floor), Sioux City, Iowa
- 2301 G Street, South Sioux City, Nebraska
- Foundry Road Site, east of the G Street location on Foundry Road

Please provide the following information for any and all additional sites where Recycletronics has operated or is currently operating (as that term is defined above):

- a. Provide the address.
 - b. Provide the name, address, and contact information for the property owner.
 - c. Explain Recycletronics’ operations performed at each property (this should include all processing, storage, accumulation, transportation, disposal or other operations). If materials are being accumulated or stored, describe in detail the materials being accumulated or stored and list the quantities.
 - d. Provide the date, or approximate date, when operations began at each property, including the date waste/materials were first moved to each property.
 - e. Provide the current number of Recycletronics’ employees at each property.
 - f. If Recycletronics’ operations have ceased, provide the date that operations ended.
 - g. Provide a list of all Recycletronics’ equipment, materials, or waste remaining at each property (if not already provided under c. above).
 - h. Provide copies of any records for materials and/or waste located or formerly located at this site, including any shipping documents such as bills of lading, receipts, or manifests.
 - i. Explain any other business relations between Recycletronics, or Aaron Rochester, and each site and its property owner.
 - j. List any additional information that would help the EPA better understand Recycletronics operations at each location.
5. For the last five years, provide legible copies of all receipts for disposal or recycling of leaded glass by Recycletronics.
6. For the last five years, provide legible copies of all transportation documents for any shipments of leaded glass from any Recycletronics’ operations to a disposal facility or recycler or another CRT recycler.
7. For the last five years, provide legible copies of any documents that support delivery of leaded glass from Recycletronics to any facility for disposal or recycling facility, or to any other facility that may be using the glass for any purpose. These documents may include, but are not limited to, sales receipts, payment receipts, transfer of ownership, bills of lading, manifests, etc.
8. Provide legible copies of all documents that show shipments of CRTs from collection events, other recyclers, or from any other source between January 1, 2013, and the present date.

3007 RESPONSE INSTRUCTIONS

- * Identify the Person(s) responding to this request on your behalf.
- * Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- * For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- * For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- * For each numbered item, identify all persons consulted in the preparation of the answer.
- * For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- * If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- * If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- * If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- * You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- * The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- * A request for an extension to the time limit for responding must be in writing and must be postmarked within 5 calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- * Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- * This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- * The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$95,284 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

I hereby certify that a true and correct copy of the foregoing Letter of Warning/Request for Information issued pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927, was hand delivered on _____

to _____.

Name/Title

Date

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Letter of Warning/Request for Information issued pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927, was hand delivered on _____
to _____.

Name/Title

Date